

REMARKS

Claims 1-4 were pending in the patent application, Claims 5-28 having been withdrawn from consideration. In the Office Action, the Examiner withdrew the previous prior art rejections and has newly rejected Claims 1-4 under 35 USC 101 as being directed to non-statutory subject matter. Applicants have amended the language of independent Claim 1 to address the Examiner's concerns and to expressly recite that a computer is performing steps of the claimed method, as further discussed below. Applicants believe that the amendments address the 101 rejections.

The present application now claims a method for utilizing a computer for managing operational risk and return of a production infrastructure with respect to a current portfolio of service-level agreements (SLAs). The method comprises the steps of the computer calculating an efficient frontier (i.e., optimal level) for an optimal portfolio of SLAs having the desired levels of risk and return, determining the actual risk and return of the current portfolio of SLAs using a portfolio evaluator means of the computer, evaluating performance by the computer comparing the desired to the actual risk and return, and

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implementing corrective action on the current portfolio of SLAs or on the production infrastructure based on the comparison (independent Claim 1 and Claims 2-4 which depend, directly or indirectly, from Claim 1. Claim 1 has been amended to more clearly recite the method for using a computer to manage operation risk. The amendment language is clearly supported by the Specification (see: for example, page 2, lines 1-5; page 6, lines 17-19; page 9, lines 7-9; and page 14, line 1 through page 15, line 4).

Based on the foregoing amendments and remarks, Applicants believe that the claims are in condition for allowance. Applicants respectfully request entry of the amendments, reconsideration and withdrawal of the 101 rejections, and issuance of the claims.

Respectfully submitted,

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